

M. Kay Martin (CSB No. 154697)  
mmartin@crowell.com  
Joel D. Smith (CSB No. 244902)  
jsmith@crowell.com  
CROWELL & MORING LLP  
275 Battery Street, 23rd Floor  
San Francisco, CA 94111  
Telephone: 415.986.2800  
Facsimile: 415.986.2827

**\*E-FILED - 8//27/10\***

Kathleen Taylor Sooy  
ksooy@crowell.com  
CROWELL & MORING LLP  
1001 Pennsylvania Avenue, NW  
Washington, DC 20004  
Telephone: (202) 624-2500  
Facsimile: (202) 628-5116

Attorneys for AT&T Inc. and AT&T Mobility LLC

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION**

ADAM WEISBLATT, JOE HANNA, and  
DAVID TURK, individually and on behalf of  
all others similarly situated,

Plaintiffs,

v.

APPLE INC., AT&T INC., AT&T  
MOBILITY LLC, and Does 1-10,

Defendants.

Case No. 5:10-cv-02553-RMW

**CLASS ACTION**

**STIPULATION AND []  
ORDER ON BRIEFING SCHEDULE**

**[N.D. CAL. CIVIL L.R. 6-1(b)]**

1 Plaintiffs Adam Weisblatt, Joe Hanna and David Turk ("Plaintiffs") and defendants  
 2 AT&T Mobility LLC ("ATTM") and AT&T Inc. ("AT&T"), by and through their respective  
 3 attorneys, hereby stipulate as follows:

4 WHEREAS, on June 23, 2010, plaintiffs filed their First Amended Complaint in the  
 5 above-captioned case;

6 WHEREAS, pursuant to June 30, 2010 and July 29, 2010 stipulations, ATTM and  
 7 AT&T's time to respond to the First Amended Complaint was extended to August 16, 2010;

8 WHEREAS, on August 16, 2010, AT&T filed a Motion To Dismiss For Lack Of Personal  
 9 Jurisdiction ("Motion to Dismiss"), which is noticed for a hearing on October 15, 2010;

10 WHEREAS, on August 16, 2010, ATTM filed a Motion To Compel Arbitration And To  
 11 Dismiss Claims Or, In The Alternative, To Stay The Case ("Motion To Compel"), which is  
 12 noticed for a hearing on October 15, 2010 (and which AT&T also filed in the alternative if the  
 13 Court denies AT&T's Motion To Dismiss);

14 WHEREAS, plaintiffs, ATTM and AT&T desire to agree to a briefing schedule for the  
 15 Motion to Dismiss and the Motion to Compel that permits defendants ATTM and AT&T to have  
 16 an additional week to file their replies;

17 WHEREAS, the stipulated briefing schedule will not alter the date of any event or  
 18 deadline already fixed by the Court.

19 THEREFORE, plaintiffs, ATTM and AT&T STIPULATE as follows:

20 1. Plaintiffs' briefs in opposition to the Motion to Dismiss and the Motion to Compel  
 21 shall be filed no later than September 17, 2010.

22 2. ATTM and AT&T's reply briefs in support of the Motion to Dismiss and the  
 23 Motion to Compel shall be filed no later than October 1, 2010.

24 3. Except as set forth above, all Local Rules shall remain in effect with respect to the  
 25 briefing on the Motion to Dismiss and Motion to Compel. Entering into this stipulation does not  
 26 constitute a waiver of any defense under Federal Rule of Civil Procedure 12.

27 IT IS SO STIPULATED.

28 ///

1 Dated: August 19, 2010

CROWELL & MORING, LLP

2 By: /s/ M. Kay Martin

3 M. Kay Martin  
4 Attorneys for Defendants  
AT&T Mobility LLC and AT&T Inc.

5 Dated: August 19, 2010

LIEFF, CABRASER, HEIMANN &  
6 BERNSTEIN, LLP

7 By: /s/ Roger Heller

8 Roger Heller  
9 Attorneys for Plaintiffs

10  
11 I, M. Kay Martin, am the ECF User whose ID and password are being used to file this  
12 Stipulation. In compliance with General Order 45, section X.B., I hereby attest that concurrence  
13 in the filing of the document has been obtained from each of the other signatories.

14 By: /s/ M. Kay Martin  
15 M. Kay Martin

16  
17  
18  
19  
20  
21 **[ ] ORDER**

22 Pursuant to Stipulation, SO ORDERED.

23  
24  
25 Dated: 8/27/10

  
The Honorable Judge Ronald M. Whyte  
U. S. District Court